

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

HILDA SOLIS,¹ Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

STATE OF WASHINGTON,
DEPARTMENT OF CORRECTIONS,

Defendant.

No. 3:08-cv-05362-RJB

**STIPULATED MOTION AND ORDER TO
EXTEND DISCOVERY PERIOD AND
ADJUST CORRESPONDING
DEADLINES**

Noted for Consideration: May 7, 2009

COME NOW, Plaintiff, the Secretary of Labor (hereinafter "Plaintiff") and the Defendant, Washington State Department of Corrections (hereinafter "Defendant") and file this Stipulated Motion to Extend Discovery Period pursuant to LR 7 and 10(g) and, in support, set forth the following:

1. The Court set the original discovery deadline in this matter for May 18, 2009, with discovery motions due on April 27, 2009 (Minute Order Setting Trial, Pretrial Dates and Ordering Mediation, Dkt 12).

¹ Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure the caption has been changed to reflect the confirmation of Secretary Solis.

1 2. In response to Plaintiff's First Set of Requests for Production, to date,
2 Plaintiff has received one disc of documents and has been informed by Defendant that it
3 is reviewing and may produce twenty-five (25) additional discs of documents responsive
4 to Plaintiff's discovery request. To adequately evaluate Defendant's production to
5 determine if discovery motions are necessary, the Parties seek relief from the Minute
6 Order, Dkt. 12.

7 3. Similarly, Plaintiff has produced documents and has responded to
8 Respondent's First Set of Discovery. The Parties have held a discovery conference and
9 Plaintiff has agreed to supplement responses. Those responses are being prepared
10 and Defendant needs time to evaluate the sufficiency of those responses to determine if
11 discovery motions are necessary.

12 4. The parties have attached hereto as Exhibit A a proposed order granting
13 this stipulated motion.

14 WHEREFORE, the parties request that this Court enter an Order setting the
15 deadline for discovery motions to be filed by May 27, 2009 and for discovery to be
16 completed by June 19, 2009, with the corresponding adjustment of trial and pretrial
17 deadlines as proposed.

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Respectfully submitted this 7th day of May, 2009,

CAROL DE DEO
Deputy Solicitor for National Operations

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Attorney General

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/s/
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1 **EXHIBIT A**

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3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 HILDA SOLIS,² Secretary of Labor,
8 United States Department of Labor,

9 Plaintiff,

10 v.

11 STATE OF WASHINGTON,
12 DEPARTMENT OF CORRECTIONS,

13 Defendant.

No. 3:08-cv-05362-RJB

14 **ORDER**

15 Considering the foregoing Stipulated Motion and Order to Extend Discovery
16 Period filed on behalf of Plaintiff, the Secretary of Labor, and Defendant, Washington
17 State Department of Corrections,

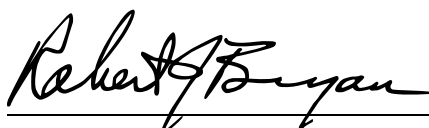
18 IT IS HEREBY ORDERED THAT the MINUTE ORDER SETTING TRIAL,
19 PRETRIAL DATES, AND ORDERING MEDIATION, at Dkt. 12 be amended to reflect
20 the following:

20	20 Days BENCH TRIAL set for	12/07/2009 9:30 am
21	All motions related to discovery must be FILED by	05/27/2009
22	Discovery COMPLETED by	06/19/2009
	All dispositive motions must be FILED by	07/21/2009

² Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure the caption has been changed to reflect the confirmation of Secretary Solis.

1	Settlement conference per CR 3931(c)(2)	07/16/2009
	Mediation per 39.1(c)(3) HELD no later than	08/17/2009
2	Letter of compliance as to CR as to CR 39.1 FILED by	08/24/2009
3	Motions in limine should be FILED by	11/09/2009
	and NOTED on the motion calendar no later than	
	the second Friday thereafter.	
4	Agreed pretrial order LODGED with the court by	11/20/2009
5	Pretrial conference will be HELD on	11/25/2009 8:30 am
	(COUNSEL SHALL REPORT TO COURTROOM A)	
6	Trial briefs, proposed voir dire & jury instructions due	11/25/2009

7 Dated this 12th day of May, 2009.

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10 ROBERT J. BRYAN
11 United States District Judge

12 Presented by,

13 CAROL DE DEO
Deputy Solicitor for National Operations

ROBERT M. MCKENNA
Attorney General

14 LAWRENCE BREWSTER
Regional Solicitor

15 /s/
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